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To: Commissioner for Patents for Examiner Hung Q. Pham Group Art Unit 2162	Facsimile No.: 571/273-8300
From: Amelia Turner Legal Assistant to Stephen R. Tkacs	No. of Pages Including Cover Sheet: 8
<p>Message:</p> <p>Transmitted herewith:</p> <ul style="list-style-type: none"> • Transmittal Document; and • Reply Brief. 	
<p>Re: Application No.: 10/042,030 Attorney Docket No: AUS920010686US1</p>	
<p>Date: Tuesday, September 06, 2005</p>	
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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SEP 06 2005

In re application of: **Brown et al.**

Serial No.: 10/042,030

Filed: January 8, 2002

For: Method, Apparatus, and
Program for Enhancing the Visibility
of Documents§
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§
§

Group Art Unit: 2162

Examiner: Pham, Hung Q.

Attorney Docket No.: AUS920010686US1

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By:	<u>Amelia C. Turner</u> Amelia C. Turner

TRANSMITTAL DOCUMENTCommissioner for Patents
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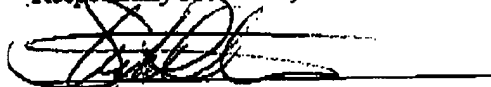
Sir:

TRANSMITTED HEREWITH:

- Reply Brief (37 C.F.R. 41.41).

No fees are believed to be required. If, however, any fees are required, I authorize the Commissioner to charge these fees which may be required to IBM Corporation Deposit Account No. 09-0447. No extension of time is believed to be necessary. If, however, an extension of time is required, the extension is requested, and I authorize the Commissioner to charge any fees for this extension to IBM Corporation Deposit Account No. 09-0447.

Respectfully submitted,

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**RECEIVED
CENTRAL FAX CENTER****SEP 06 2005****PATENT****Docket No. AUS920010686US1****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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Group Art Unit: 2162

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on 09.06.05

By:

Amelia C. Turner
Amelia C. Turner**REPLY BRIEF (37 C.F.R. 41.41)**

This Reply Brief is submitted in response to the Examiner's Answer mailed on July 6, 2005.

No fees are believed to be required to file a Reply Brief. Any required petition for extension of
time for filing this brief and fees therefore, are dealt with in the accompanying TRANSMITTAL
OF REPLY BRIEF.(Reply Brief Page 1 of 6)
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GROUPING OF CLAIMS

The Examiner's Answer states that the rejection of claims 1-5, 11-17, and 22-25 stand or fall together because Appellants' Brief does not include a statement that the claims do not stand or fall together and reasons in support thereof. The Examiner's Answer references 37 C.F.R. § 1.192(c)(7). Appellants respectfully disagree. Kindly note that 37 C.F.R. § 1.192 was removed on August 12, 2004. The Examiner is urged to consider 37 C.F.R. § 41.37(c)(vii), which states:

(vii) *Argument*. The contentions of appellant with respect to each ground of rejection presented for review in paragraph (c)(1)(vi) of this section, and the basis therefor, with citations of the statutes, regulations, authorities, and parts of the record relied on. Any arguments or authorities not included in the brief or a reply brief filed pursuant to § 41.41 will be refused consideration by the Board, unless good cause is shown. Each ground of rejection must be treated under a separate heading. For each ground of rejection applying to two or more claims, the claims may be argued separately or as a group. When multiple claims subject to the same ground of rejection are argued as a group by appellant, the Board may select a single claim from the group of claims that are argued together to decide the appeal with respect to the group of claims as to the ground of rejection on the basis of the selected claim alone. Notwithstanding any other provision of this paragraph, the failure of appellant to separately argue claims which appellant has grouped together shall constitute a waiver of any argument that the Board must consider the patentability of any grouped claim separately. Any claim argued separately should be placed under a subheading identifying the claim by number. Claims argued as a group should be placed under a subheading identifying the claims by number. A statement which merely points out what a claim recites will not be considered an argument for separate patentability of the claim.

The Appeal Brief filed May 3, 2005, includes a heading for each ground of rejection. Also, for each subgroup that is separately argued, the Appeal Brief includes a subheading identifying the claim(s) by number. Therefore, the claims do not stand or fall together, but shall be considered in the groups defined in the Argument section of Appellants' Brief, as set forth in 37 C.F.R. § 41.37(c)(vii).

RESPONSE TO ARGUMENT

I. 35 U.S.C. § 103, Alleged Obviousness of claims 1-5, 11-17, 22, 23, and 25

The Examiner's Answer presents new portions of the Internet Explorer 5.0 (IE5) reference that were not part of previous rejection. More specifically, the Examiner's Answer references a user interface under the "Internet Properties" dialog that is activated by selecting the "Accessibility" button. This "Accessibility" user interface includes checkboxes under a "Formatting" heading. These checkboxes include "Ignore colors specified on Web pages," "Ignore font styles specified on Web pages," and "Ignore font sizes specified on Web pages." This new citation does appear to teach ignoring particular attributes of a document for all documents presented by the browser.

In contradistinction, claim 1, for example, recites:

1. A method for clarifying a document, comprising:
retrieving a document including a document component having an attribute, wherein the attribute is explicitly specified in the document;
displaying the document;
loading a set of user preferences; and
in response to activation of a clarification control, modifying the attribute to clarify display of the document based on the set of user preferences to form a clarified document. [emphasis added]

Thus, the presently claimed invention displays the document as it is retrieved and then, in response to activation of a clarification control, **modifies the attribute**. IE5, on the other hand, does not display the document as it is retrieved. Rather, IE5 ignores certain attributes of the document. IE5 does not **modify the attributes in response to activation of a clarification control**, as recited in claim 1, for example. In IE5, the Accessibility options are set universally for all documents. The Examiner's Answer does not address the claimed features of displaying a document and modifying an attribute of the document in response to activation of a clarification control.

Furthermore, IE5 does not provide a single control that may be activated to clarify a displayed document, as in the presently claimed invention. Rather, IE5 includes a series of nested user interfaces and dialogs that may be traversed to set various display preferences. However, once these preferences are set in IE5, the preferences are applied to all documents. IE5

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simply fails to provide a control that may be activated to modify an attribute of a displayed document to clarify display of the document, as recited in claim 1, for example.

IA. 35 U.S.C. § 103, Alleged Obviousness of claims 3 and 15

With respect to claims 3 and 15, the Examiner's Answer changes the rejection to state:

Regarding claims 3 and 15, the Admission and Internet Explorer, in combination, teach all of the claimed subject matter as discussed above with respect to claims 1 and 14, in the Description of the Related Art, page 2, Lines 6-9 is the claimed *the document component comprises a background image* (Description of Related Art, page 2, lines 6-9), and Internet Explorer, screen shot II, by selecting box ignore color specified on Web pages *the background image from the document is removed*.

Examiner's Answer dated July 6, 2005. Appellants respectfully disagree. The Examiner apparently equates a "background color" with a "background image." Clearly, a background color is not the same as a background image. The Examiner's Answer proffers no analysis as to why recognition of the problem by Applicants (background images) in the present specification may be combined with IE5, which teaches ignoring all background colors in all documents, to arrive at present claims 3 and 15. The Examiner's Answer does not establish a *prima facie* case of obviousness for claims 3 and 15, because the applied references, taken individually or in combination, fail to teach all of the claim limitations, more specifically "removing the background image from the document."

IB. 35 U.S.C. § 103, Alleged Obviousness of claims 11 and 22

With respect to claims 11 and 22, the Examiner's Answer states:

As shown in the screen shot below is the setting to authenticate a user by selecting button "Prompt for user name and password". After the user is authenticated by his/her user name and password, the authenticated user can modify the retrieved Web page attributes using the interfaces as shown in screen shot II-IV.

Examiner's Answer dated July 6, 2005. Appellants respectfully disagree. The Examiner clearly makes assumptions about IE5 in order to fill in the missing features. IE5 does not provide any connection whatsoever between user authentication and accessibility options. There is no teaching in IE5 of modifying an attribute of a document in response to the user being authenticated, as recited in claim 11, for example.

II. 35 U.S.C. § 103, Alleged Obviousness of claim 24

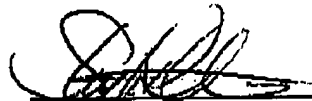
With respect to claim 24, the Examiner's Answer presents new portions of the Internet Explorer 5.0 (IE5) reference that were not part of previous rejection. More specifically, the Examiner's Answer references a user interface under the "Internet Properties" dialog that is activated by selecting the "Accessibility" button. This "Accessibility" user interface includes checkboxes under a "Formatting" heading. These checkboxes include "Ignore colors specified on Web pages," "Ignore font styles specified on Web pages," and "Ignore font sizes specified on Web pages." This new citation does appear to teach ignoring particular attributes of a document for all documents presented by the browser.

The presently claimed invention displays the document as it is retrieved and then, in response to activation of a clarification control, modifies the attribute. IE5, on the other hand, does not display the document as it is retrieved. Rather, IE5 ignores certain attributes of the document. IE5 does not modify the attributes in response to activation of a clarification control, as recited in claim 24, for example. In IE5, the Accessibility options are set universally for all documents. The Examiner's Answer does not address the claimed features of displaying a document and modifying an attribute of the document in response to activation of a clarification control.

Furthermore, IE5 does not provide a single control that may be activated to clarify a displayed document, as in the presently claimed invention. Rather, IE5 includes a series of nested user interfaces and dialogs that may be traversed to set various display preferences. However, once these preferences are set in IE5, the preferences are applied to all documents. Even combined with a conventional computer system, IE5 simply fails to provide a control that may be activated to modify an attribute of a displayed document to clarify display of the document, as recited in claim 24.

CONCLUSION

In view of the above, Appellants respectfully submit that claims 1-5, 11-17, and 22-25 are allowable over the cited prior art and that the application is in condition for allowance. Accordingly, Appellants respectfully request the Board of Patent Appeals and Interferences to not sustain the rejections set forth in the Final Office Action.



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